

## **DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### **COMPOSITION AND METHOD FOR REDUCING THE RISK OR PROGRESSION OF CARDIOVASCULAR, GLAUCOMA AND TARDIVE DYSKINESIA DISEASES**

the specification of which

(check one)

is attached hereto

\_\_\_\_\_ was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I do not know and do not believe that the invention was ever known or used in the United States of America before my or our invention thereof.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

The invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate

Prior Foreign Application(s)

Priority Yes	Claimed No
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(Number)	(Country)	(Day/Month/Year)		
(Number)	(Country)	(Day/Month/Year)		
(Number)	(Country)	(Day/Month/Year)		

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as best defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)	
abandoned)		(granted,	pending,
(Application Serial No.)	(Filing Date)	(Status)	
abandoned)		(granted,	pending,

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Anthony P. DeLio, Reg. No. 18,729; Peter W. Peterson, Reg. No. 31,867; John J. Tomaszewski, Reg.

No. 26,241; Robert Curcio, Reg. No. 44,638; Kelly M. Reynolds 47,898; all of  
DELIO & PETERSON, LLC.

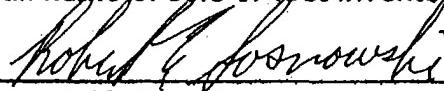
Send Correspondence to:

DeLIO & PETERSON, LLC  
121 Whitney Avenue  
New Haven, CT 06510

Direct Telephone Calls to: **John J. Tomaszewski** of DeLIO & PETERSON, LLC at (203) 787-0595.

Robert E. Sosnowski

Full name of sole or first inventor



Inventor's Signature

4/26/01

Date

1342 Bennett Lane, Manasquan

Residence-City

New Jersey

Residence-State/Foreign Country

USA

Country of Citizenship

1342 Bennett Lane, Manasquan, New Jersey 08736

Post Office Address

Phillip C. Lang

Full name of second joint inventor, if any



Inventor's Signature

4/26/01

Date

216 Edgemere Drive, Toms River

Residence-City

New Jersey

Residence-State/Foreign Country

USA

Country of Citizenship

216 Edgemere Drive, Toms River, New Jersey 08755

Post Office Address

Robert E Sosnowski, AND Phillip C. Lang 6

Signed before me this 26 day of April 2002

Alice J Grippaldi

NOTARY

ALICE JEAN GRIPPALDI  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires July 15, 2002

dex100001000dec

DOCKET DEXG100001000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: Robert E. Sosnowski et al.

SERIAL NO.:

FILED:

FOR: COMPOSITION AND METHOD FOR )  
REDUCING THE RISK OR )  
PROGRESSION OF )  
CARDIOVASCULAR, CLAUCOMA )  
AND TARDIVE DYSKINESIA DISEASES )

DECLARATION CLAIMING SMALL ENTITY STATUS  
[37 CFR 1.9(f) and 1.27(c)] - SMALL BUSINESS CONCERN

I hereby declare that I am the President of and am empowered to act on behalf of the following named small business concern:

DexGen-Intellectual Property, Homocysteine, Inc.  
1342 Bennett Lane  
Manasquan, New Jersey 08736

I hereby declare that the above mentioned small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "COMPOSITION AND METHOD FOR REDUCING THE RISK OR PROGRESSION OF CARDIOVASCULAR, CLAUCOMA AND TARDIVE DYSKINESIA DISEASES", by Robert E. Sosnowski and Philip C. Lang, as described in Specification filed herewith.

If the rights held by the above mentioned small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the

-2-

Inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(e). Separate verified statements from each named person, concern, or organization having rights to the invention averring to their status as small entities are submitted herewith (37 CFR 1.27).

Full Name and Address

None

Small Entity Status

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

  
Robert E. Sosnowski

President

4/30/01

Date

dexg10000100064

## PATENT RECORDATION FORM COVER SHEET

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

<p>1. Name of conveying party(ies):  <b>Robert E. Sosnowski Philip C. Lang</b></p>	<p>2. Name and address of receiving party(ies):  <b>Name: DexGen-Intellectual Property, Homocysteine, Inc. Street Address: 1342 Bennett Lane City: Manasquan State: New Jersey Zip Code: 08736</b></p>
<p>Additional name(s) of conveying party(ies) attached?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>3. Nature of Conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other _____</p>	<p>Additional Name(s) &amp; Address(es) attached?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>Execution Date: April 26, 2001</p>	
<p>4. Application number(s) or patent number(s):  If this document is being filed together with a new application, the execution date of the application is: April 26, 2001.</p>	
<p>A. Patent Application No.(s)</p>	<p>B. Patent No.(s)</p>
<p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>5. Name and address of party whom correspondence concerning document should be mailed:   <b>Name: DeLIO &amp; PETERSON, LLC Street Address: 121 Whitney Avenue City: New Haven State: CT Zip Code: 06510-1241</b></p>	<p>6. Total number of applications and patents involved:.....[ 1 ]   7. Total Fee (37 CFR 3.41) \$ <u>40.00</u>  <input checked="" type="checkbox"/> Enclosed  <input type="checkbox"/> Authorized to be charged to Deposit Account number below   8. <input checked="" type="checkbox"/> Authorized to charge Deposit Account Number <b>04-0566</b> for any over or under payment</p>

DO NOT USE THIS SPACE

9. Statement and Signature.  
*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

John J. Tomaszewski  
Name of Person Signing  
Reg. No. 26,241

Signature

April 30, 2001  
Date

Total number of pages including cover sheet, attachments, and document: [ 4 ]

## CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that, on the date shown below, the correspondence is being deposited with the United States Postal Service in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, as "Express Mail Post Office to Addressee" Mailing Label No.

EL277590922USon April 30, 2001

Carol M. Thomas  
Name of person mailing paper  
Signature

Date: April 30, 2001

## ASSIGNMENT

WHEREAS, we, Robert E. Sosnowski and Philip C. Lang, who reside respectively at 1342 Bennett Lane, Manasquan, New Jersey 08736 and 216 Edgemere Drive, Toms River, New Jersey 08755 have certain interests and rights in and to inventions and discoveries set forth in an application for Letters Patent of the United States of America entitled COMPOSITION AND METHOD FOR REDUCING THE RISK OR PROGRESSION OF CARDIOVASCULAR, GLAUCOMA AND TARDIVE DYSKINESIA DISEASES, which application was executed by us on the 26 day of April, 2001, and is identified by DeLIO & PETERSON, LLC Docket No. DEXG100001000.

WHEREAS, DexGen-Intellectual Property, Homocysteine, Inc., a New Jersey corporation, whose address is 1342 Bennett Lane, Manasquan, New Jersey 08736, together with its successors and assigns is hereinafter called "Assignee", is desirous of acquiring the title, rights and benefits and privileges hereinafter recited:

NOW, THEREFORE, for valuable consideration furnished by Assignee to us, the receipt and sufficiency of which we hereby acknowledge, we hereby, without reservation:

1. Assign, transfer and convey to Assignee the entire right, title and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions and discoveries or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;

2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;

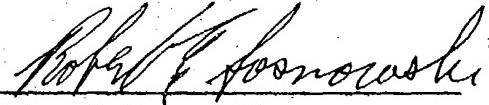
3. Authorize and request the Commissioner of Patents of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein or otherwise as Assignee may direct;

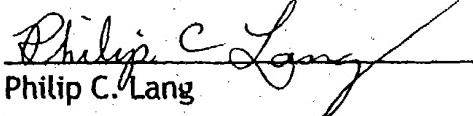
4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or

discoveries; and that we have good right to assign the same to assignee without encumbrance;

5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at its expense, but without additional consideration to us or it, all acts reasonably serving to assure that said inventions and discoveries, said patent applications and said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof, and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns and which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have signed our name below, this 26 day of  
April, 2001.

  
Robert E. Sosnowski

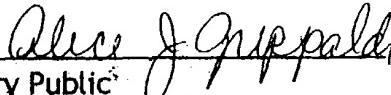
  
Philip C. Lang

) 041-46-9016  
) ss: 123-24-9289

STATE OF New Jersey  
COUNTY OF Middlesex,

On this 26 day of April, 2001, before me appeared Robert E. Sosnowski, to me known and known to me to be the person described in and who executed the foregoing instrument and he acknowledged the same to be his free act and deed.

(SEAL)

  
Alice Jean Grippaldi  
Notary Public

) ALICE JEAN GRIPPALDI  
NOTARY PUBLIC OF NEW JERSEY  
) ss: My Commission Expires July 15, 2002

STATE OF New Jersey  
COUNTY OF Middlesex

On this 26 day of April, 2001, before me appeared Philip C. Lang, to me known and known to me to be the person described in and who executed the foregoing instrument and he acknowledged the same to be his free act and deed.

(SEAL)

Alice J Grippaldi  
Notary Public

ALICE JEAN GRIPPALDI  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires July 15, 2002

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